

## Message Text

PAGE 01 STATE 249537

64  
ORIGIN SS-30

INFO OCT-01 ISO-00 /031 R

66610  
DRAFTED BY: EA/PRCM:CWFREEMAN:NBG  
APPROVED BY: S/S - MR PICKERING  
EA/PRCM-OVARMSTRONG  
L/M/SCA-KEMALMBORG  
EA - AWHUMMEL, JR  
DISTRIBUTION: EA, L AND S/S ONLY  
----- 075508

P 212358Z DEC 73  
FM SECSTATE WASHDC  
TO USLO PEKING PRIORITY  
AMCONSUL HONG KONG PRIORITY

C O N F I D E N T I A L STATE 249537

EXDIS

E.O. 11652: GDS  
TAGS: PFOR, CH, APER (PLATT, NICHOLAS)  
SUBJECT: TRAFFIC ACCIDENT

REF: (A) PAKING 1631; (B) PEKING 0039; (C) STATE 110673

1. DEPARTMENT UNDERSTANDS FROM USLO PERSONNEL RECENTLY ON  
CONSULTATIONS IN WASHINGTON THAT PLATT HAS BEEN CONFINED BY PRC  
AUTHORITIES TO PEKING AREA AND THAT HIS DRIVER'S LICENSE HAS  
BEEN SUSPENDED. PLEASE CONFIRM.

2. WE ARE CONCERNED THAT PRC ACTIONS AND OUR ACQUIESCENCE IN  
THIS CASE MIGHT COMPROMISE DIPLOMATIC IMMUNITY OF PLATT OR CREATE  
PRECEDENT FOR COMPROMISING IMMUNITY OF ANY USLO PERSONNEL WHO  
MIGHT BE IN SIMILAR SITUATION IN THE FUTURE.

3. IF IT IS TRUE THAT PLATT HAS BEEN RESTRICTED TO PEKING,  
THIS WOULD TECHNICALLY CONSTITUTE "ARREST OR DETENTION" OF  
DIPLOMATIC PERSONNEL WHICH IS SPECIFICALLY PROHIBITED BY  
CONFIDENTIAL

PAGE 02 STATE 249537

ARTICLE 29 OF THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS,  
AS WELL AS VIOLATION OF ARTICLE 26 (WHICH PRC CUSTOMARILY  
VIOLATES) WHICH REQUIRES RECEIVING STATE TO ENSURE FREEDOM  
OF MOVEMENT AND TRAVEL IN ITS TERRITORY TO PERSONNEL OF

FOREIGN MISSIONS.

4. WHILE PRC DOES NOT ACCEPT VIENNA CONVENTION, DETENTION OF PLATT IN PEKING WOULD ALSO CONTRAVENE MEMORANDUM OF UNDERSTANDING ON DIPLOMATIC PRIVILEGES AND IMMUNITIES WHICH REF B REPORTED PRC HAD ACCEPTED IN PRINCIPLE, AND WHICH USLO CONFIRMED TO PRC, PER REF C. ARTICLE II (1) OF MEMORANDUM READS: "THE PERSONS OF PERSONNEL OF THE LIAISON OFFICE SHALL BE INVOLVABLE. THEY SHALL NOT BE SUBJECT TO ANY FORM OF ARREST OR DETENTION..." ARTICLE II (2) PROVIDES THAT "PERSONNEL OF THE LIAISON OFFICE SHALL ENJOY IMMUNITY FROM THE CRIMINAL JURISDICTION OF THE RECEIVING STATE. THEY SHALL ALSO ENJOY IMMUNITY FROM ITS CIVIL AND ADMINISTRATIVE JURISDICTION... PERSONNEL OF THE LIAISON OFFICE ARE NOT OBLIGED TO GIVE EVIDENCE AS WITNESSES."

5. DEPARTMENT WOULD APPRECIATE INFORMATION FROM USLO (A) ON HOW CHINESE HAVE HANDLED OTHER CASES OF TRAFFIC ACCIDENTS INVOLVING INJURIES OR FATALITIES WHEN THESE CONCERN PERSONNEL OF THIRD COUNTRY MISSIONS IN PEKING (B) USLO VIEWS ON HOW MATTERS SHOULD BE HANDLED IN LIGHT OF CONCERNS MENTIONED ABOVE.

RUSH

CONFIDENTIAL

<< END OF DOCUMENT >>

## Message Attributes

**Automatic Decaptioning:** Z  
**Capture Date:** 10 MAY 1999  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TRAFFIC ACCIDENTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 21 DEC 1973  
**Decaption Date:** 28 MAY 2004  
**Decaption Note:** 25 YEAR REVIEW  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** worrelsw  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1973STATE249537  
**Document Source:** ADS  
**Document Unique ID:** 00  
**Drafter:** EA/PRCM:CWFREEMAN:NBG  
**Enclosure:** n/a  
**Executive Order:** 11652 GDS  
**Errors:** n/a  
**Film Number:** P750029-0381  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1973/newtext/t19731257/abqcekjo.tel  
**Line Count:** 78  
**Locator:** TEXT ON-LINE, TEXT ON MICROFILM  
**Office:** ORIGIN EA  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** ONLY EXDIS  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:**  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** ONLY EXDIS  
**Reference:** (A) PAKING 1631; (B) PEKING 0039; (C) STATE 110673  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** worrelsw  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 27 JUL 2001  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <27-Jul-2001 by shawdg>; APPROVED <07 MAR 2002 by worrelsw>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** TRAFFIC ACCIDENT  
**TAGS:** PFOR, APER, CH, (PLATT, NICHOLAS)  
**To:** PEKING  
HONG KONG  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005